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# Message Text

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ORIGIN COME-00

INFO OCT-01 ARA-14 ISO-00 EB-08 AS-01 L-03 /027 R

DRAFTED BY COM:OIFI;FBP:JMLIGHTMAH/MMP
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STATE/ARA/ECA/JBUMPUS
STATE/OBP/SMBRATTAIN
----------050701 101339Z /50
R 100019Z MAR 78
FM SECSTATE WASHDC
TO AMEMBASSY BUENOS AIRES

UNCLAS STATE 061375

E.O. 11652:N/A

TAGS:EIND, AR

SUBJECT:MUNSINGWEAR, INC., MINNEAPOLIS MINNESOTA
TRADEMARK APPLICATION FOR "PENGUIN DESIGN"

MUNSINGWEAR, OWNER OF FOUR U.S. TRADEMARK REGISTRATIONS
(673,912; 677,017; 796,003 AND 952,079) FOR "PENGUIN DE-
SIGN" HAS ADVISED COMMERCE THAT ARGENTINE COURT JUDGE
MANUEL WECHSLER HAS PETITIONED EMBASSY FOR CERTAIN INFORMA-
TION IN CONNECTION WITH A COURT ACTION INVOLVING ITS TRADE-
MARK APPLICATION FOR "PENGUIN DESIGN" IN ARGENTINA. COM-
MERCE ALSO INFORMED THAT EMBASSY WAS UNABLE TO RESPOND IN
ABSENCE OF INFORMATION BEING SOUGHT ACCORDING TO MUNSING-
WEAR, PETITION SEEKS TO ASCERTAIN WHETHER MUNSINGWEAR
(1) IS MANUFACTURER OF CLOTHING ITEMS, PARTICULARLY SPORTS
CLOTHING; (2) IDENTIFIES ITS GOODS BY A TRADEMARK CONSIST-
ING OF A PENGUIN FIGURE LOOKING OVER ITS RIGHT SHOULDER
AND "WEARING A BOW TIE AND VEST; AND (3) OWNS THE ABOVE
DESCRIBED "PENGUIN DESIGN" MARK, WHICH IS WELL KNOWN IN THE
UNITED STATES. COMMERCE HAS RECEIVED A LETTER AND PERTI-
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NENT DOCUMENTATION FROM MUNSINGWEAR IN AFFIRMATIVE REPLY
TO THE ABOVE SOUGHT INFORMATION.

ACTION: EMBASSY, IF NO OBJECTION PERCEIVED, IS REQUEST-
ED TO PREPARE AND FORWARD TO THE AA"" ARGENTINE COURT
JUDGE A RESPONSE TO HIS PETITION, STATING IN
THE RESPONSE THAT (1) MUNSINGWEAR IS THE MANUFACTURER OF

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CLOTHING PRODUCTS, PARTICULARLY SPORTWEAR; (2) IDENTIFIES ITS GOODS BY A TRADEMARK AS DESCRIBED IN (2) ABOVE; AND (3) OWNS THE ABOVE DESCRIBED "PENGUIN DESIGN" MARK, IN THE UNITED STATES, WHICH IS WELL KNOWN IN THIS COUNTRY.

RESPONSE IS TO BE MAILED OR HAND CARRIED TO COURT LOCATED AT PARANA 386, 1017 BUENOS AIRES. COURT WHERE ACTION IS PENDING IS IDENTIFIED AS JUZGADO NACIONAL EN LO CIVIL Y COMMERCIO FEDERAL NUMERO 7 A CARGO DEL JUEZ MANUEL WECHSLER SECRETARIA L9 DEL DOCTOR RUDOLFO DE LORENZ, COURT FILE DOCKET IS TITLED AUTOS MUNSINGWEAR INC. C/FOLATO FILOMENA Y AUTRO S/OPOSICION OF MARCO CUADERNO DE PRUEBA DE LA PARTE ACTORA.

EMBASSY MAY COMMUNICATE WITH MUNSINGWEAR'S LOCAL ASSOCIATE, MR. BORIS NOVIKS, LAVALLE 1783, 1048 BUENOS AIRES, FOR FURTHER DETAILS OR INFORMATION REGARDING THE COURT PETITION, IN PREPARATION AND SUBMISSION OF THE RESPONSE TO THE COURT. CABLE REPLY REQUESTED ON EMBASSY'S ACTION ON THIS MATTER. VANCE

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# Message Attributes

**Automatic Decaptioning:** X
**Capture Date:** 01 jan 1994
**Channel Indicators:** n/a
**Current Classification:** UNCLASSIFIED
**Concepts:** TEXTILES, TRADEMARK APPLICATIONS, COURT PROCEEDINGS
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**Copy:** SINGLE
**Draft Date:** 10 mar 1978
**Decaption Date:** 01 jan 1960
**Decaption Note:**
**Disposition Action:** n/a
**Disposition Approved on Date:**
**Disposition Case Number:** n/a
**Disposition Comment:**
**Disposition Date:** 01 jan 1960
**Disposition Event:**
**Disposition History:** n/a
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**Disposition Remarks:**
**Document Number:** 1978STATE061375
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**Enclosure:** n/a
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**Expiration:**
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**Handling Restrictions:** n/a
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**Review Content Flags:**
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**Review Event:**
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**SAS ID:** 3371514
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**Status:** NATIVE
**Subject:** MUNSINGWEAR, INC., MINNEAPOLIS MINNESOTA TRADEMARK APPLICATION FOR \"PENGUIN DESIGN\" MUNSINGWEAR, OWNER OF FOUR U.S. TRADEMARK REGISTRA
**TAGS:** EIND, AR, MUNSINGWEAR INC, PENGUIN DESIGN
**To:** BUENOS AIRES
**Type:** TE
**vdkvgwkey:** odbc://SAS/SAS.dbo.SAS_Docs/939bacc9-c288-dd11-92da-001cc4696bcc
**Review Markings:**
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